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Arrowood Indemnity Company (f/k/a Royal Indemnity Company
7 as successor-in-interest to Royal Insurance Company of America)

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION**

10
11 AIU INSURANCE COMPANY, a New York
corporation,

12 Plaintiff

13 v.

14 ACCEPTANCE INSURANCE COMPANY, a
Delaware corporation, TIG SPECIALTY
INSURANCE COMPANY, a California
corporation, ARROWOOD INDEMNITY
COMPANY (f/k/a ROYAL INDEMNITY
COMPANY AS SUCCESSOR-IN-INTEREST
TO ROYAL INSURANCE COMPANY OF
AMERICA) a Delaware corporation,
AMERICAN SAFETY RISK RETENTION
GROUP, INC., a Vermont corporation,
AMERICAN SAFETY INDEMNITY
COMPANY, a Oklahoma corporation, and
DOES 1 through 10, inclusive,

15 Defendants.
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Case No.: **C 07 5491 PJH**

Assigned for All Purposes to:
Judge Phyllis J. Hamilton
Courtroom 3, 3rd Floor

**[PROPOSED] AMENDED ORDER RE
DISMISSAL, WITHOUT PREJUDICE, OF
AMERICAN SAFETY RISK RETENTION
GROUP, INC. AND AMERICAN SAFETY
INDEMNITY COMPANY FROM
ARROWOOD INDEMNITY COMPANY'S
CROSS-CLAIMS**

[F.R.C.P. Rules 41(a) and 60(b)]

[Filed concurrently with Amended
Stipulation of Dismissal, without Prejudice]

Complaint Filed: October 29, 2007
Trial Date: None Set

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[PROPOSED] AMENDED ORDER RE DISMISSAL, WITHOUT PREJUDICE, OF AMERICAN SAFETY
RISK RETENTION GROUP, INC. AND AMERICAN SAFETY INDEMNITY COMPANY FROM
ARROWOOD INDEMNITY COMPANY'S CROSS-CLAIMS

[PROPOSED] AMENDED ORDER

Having fully considered the Amended Stipulation of Dismissal, without Prejudice, between Defendants/Cross-Defendants American Safety Risk Retention Group, Inc. and American Safety Indemnity Company ("American Safety") and Defendant/Counterclaimant/Cross-Complainant Arrowood Indemnity Company (f/k/a/ Royal Indemnity Company as successor-in-interest to Royal Insurance Company of America) ("Arrowood"), and pursuant to Rules 41(a) and 60(b) of the Federal Rules of Civil Procedure, IT IS HEREBY ORDERED that:

1. The Stipulation, filed as Docket No. 161, dismissing, with prejudice, Arrowood's cross-claims in the above-captioned matter against American Safety is VACATED.

2. The [Proposed] Order, filed as Docket No. 161-1, dismissing, with prejudice, Arrowood's cross-claims, against American Safety in the above-captioned action is VACATED.

3. The Order, filed as Docket No. 162, dismissing, with prejudice, Arrowood's cross-claims in the above-captioned matter against American Safety is VACATED.

4. The Stipulation, filed as Docket No. 147, dismissing, with prejudice, Arrowood's cross-claims in the above-captioned matter against American Safety remains VACATED.

5. The Order, filed as Docket No. 148, dismissing, with prejudice, Arrowood's cross-claims in the above-captioned matter against American Safety remains VACATED.

6. Pursuant to Docket No. 156, Arrowood's cross-claims against American Safety remain dismissed in the above-captioned action, without prejudice, without American Safety and Arrowood waiving costs, and without American Safety waiving as to Arrowood any past, present or future liability or obligations, including all claims for equitable relief, under the commercial general liability policies Arrowood issued to Rylock Company, Ltd., which policies include, but are not limited to: (1) policy no. PTY441053 effective March 1, 1996 to March 1, 1997; (2) policy no. PTS443208 effective March 1, 1997 to March 1, 1998; (3) policy no. PTR457882 effective March 1, 1998 to March 1, 1999; and (4) policy no. PTR-457882009 effective March 1, 1999 to March 1, 2000.

1 7. The Stipulation dismissing, without prejudice, Arrowood's cross-claims in the
2 above-captioned matter against American Safety [Docket No. 154], as well as the Proposed
3 Order, dismissing without prejudice, Arrowood's cross-claims in the above-captioned matter
4 against American Safety [Docket No. 154-1], remain the operative Stipulation of Dismissal,
5 without prejudice, and [Proposed] Order of Dismissal, without prejudice, between Arrowood and
6 American Safety.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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DATED: February 28, 2011

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OC#31869

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